

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

JEROME PARKS

Plaintiff,

v.

**WALMART, INC., JOHN DOE,
and JOHN DOE COMPANY**

Defendants.

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Case No. _____

Jury Trial: X Yes ___ No

JUDGE: TBD

COMPLAINT FOR A CIVIL CASE ALLEGING NEGLIGENCE

I. The Parties to this Complaint.

A. The Plaintiff:

Jerome Parks resides at 10503 Iron Gate Lane, Jonesboro, GA 30238, and the Plaintiff is a citizen of the State of Georgia. Plaintiff's phone number is 678-368-5107 and his email is Jerome.Parks11@gmail.com.

B. The Defendants:

Walmart, INC. is a Foreign Profit Corporation whose principal office address is 708 SW 8th Street, Bentonville, Arkansas 72716, their Registered Agent is THE

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PLAINTIFF'S COMPLAINT
TO DEFENDANT - 1

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CORPORATION COMPANY(FL) 106 Colony Park Drive, Ste. 800-B, Cumming, GA 30040. John Doe and John Doe Company addresses are unknown currently.

II. JURISDICTION AND VENUE.

This Court has subject matter jurisdiction over this controversy pursuant to 28 U.S.C. § 1332(a)(1) because this controversy is between citizens of different states and because the matter in controversy exceeds, exclusive of interest and costs, the sum specified by 28 U.S.C. § 1332 (a). Plaintiff's medical expenses and his claim for physical and mental pain and suffering exceed \$75,000, not counting interest and costs of court.

III. STATEMENT OF CLAIM

In this action, Plaintiff seeks damages caused by the negligence of an employee of Defendant Walmart, INC. which occurred at the Walmart Super Center, retail store #5363 at 11465 Tara Blvd., Lovejoy, GA. 30250 at approximately 1pm on or about September 17th, 2020. Plaintiff was an invitee who was shopping in near the pharmacy department of the Defendant Store and was walking when he slipped on liquid coming from the bottom of the back door causing him to fall. Defendant's employee failed to notice the hazard and failed to warn the invitees in the area of the danger. At all relevant times, in this incident, John Doe was acting within the scope of their employment and Defendant Walmart, INC. and/or John Doe Corporation

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was responsible for said individuals' actions pursuant to the Doctrine of *Respondeat Superior or Agency*. Furthermore, Plaintiff claims that Defendant Walmart, INC. and/or John Doe Corporation failed to properly train and supervise their employees in the timely manner of spill cleanups, the frequency of floor inspections and once a spill is discovered the proper procedure for warning invitees of the hazard. The Plaintiff suffered injuries and incurred pain and suffering as a direct result of said negligence. Defendant Walmart, INC. and/or John Doe Corporation as owner of the premises owed a duty to invitees, such as Plaintiff, to keep the premises safe condition from slip and falls when shopping in the store. Defendants breached their duty to their invitee and as a direct result of said breach the Plaintiff suffered damages to be proven at trial.


IV. RELIEF

Plaintiff seeks relief for the expenses and costs associated with his medical treatments for her injuries which as of this filing exceed \$26,000. Plaintiff seeks relief for his past and future physical and mental pain and suffering to be determine by the enlightened conscious of the jury at trial. Plaintiff seeks damages in excess of \$75,000.

V. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. Attorneys for Plaintiff:

DATE OF SIGNING: 8/11/2022
SIGNATURE OF ATTORNEY: 
PRINTED NAME OF ATTORNEY: Scott S. Cohen
BAR NUMBER: 888269
PRINTED NAME OF ATTORNEY: Allison T. Newell
BAR NUMBER: 984808
NAME OF LAW FIRM: Cohen & Sinowski, PC
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